Remarks

In furtherance of the Request for Continued Examination filed herewith,

Applicants respectfully request reconsideration of this Application and consideration of

the foregoing amendment, which is hereby submitted in accordance with 37 C.F.R.

§§ 1.114 and 1.116(a).

Upon entry of the foregoing amendment, claims 1-30 are pending in the

application, with 1, 2, 15, and 21 being the independent claims. New claims 21-30 are

sought to be added. Claims 2, 6, 7, 9, 15 and 18 are sought to be amended to correct

typographical errors and/or better reflect originally recited embodiment(s) of Applicants'

invention. Support for these changes can be found, inter alia, in Figure 1 and on pages

4-7 and 10-12 of Applicants' specification. These changes are believed to introduce no

new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants

respectfully request that the Examiner reconsider all outstanding objections and

rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejects claims 2 and 15 under 35 U.S.C.

§ 102(b) as allegedly being anticipated by U.S. Patent 5,802,292 to Mogul *et al.* (herein

referred to as "Mogul"). (Paper No. 6, pages 2-3). Applicants respectfully traverse.

a.   *Claim 2*

For the Examiner's convenience, the amended claim 2 is reproduced below:

A method for prequeuing of files predicted to be desired by a user, comprising:

defining a restrictive criteria to select a list of files;

automatically transferring files on the list into a local cache, in anticipation of a user selection thereof, files already transferred to the local cache having a shorter delay for review than those which have not been previously transferred to the local cache,

an order of file transfer being responsive to a prediction of user review requirements, **the prediction being responsive** to any change in a **user deviation from the predicted order**; and

receiving a starting point within the list of files, for file review, from the user,

such that predicted latencies for **sequential file review** from any given starting point are optimized.

Mogul does not teach each and every element, limitation, and/or feature of claim 2 (as amended or previously presented).   Mogul does not disclose "a method for prequeuing of files" that comprises, for example, "automatically transferring files on [a] list…in anticipation of a user selection…, an order of file transfer being responsive to a prediction of user review requirements, the prediction being responsive to any change in a user deviation from the predicted order."

On the contrary, Mogul describes:

> In the present invention the server system 14, for example, predicts the client system's 10 one or more **likely next retrieval requests**, optionally assigns the predicted retrievals probabilities, and then **transmits these predictions, not the actual objects**, to the client system 10. This is typically done following a transmission of the most recently requested object or objects, so that the retrieval latency for that object or objects is not increased. Furthermore, the present invention allows the server system 14 to indicate each object's size and modification date (or timestamp) to help the client system 10 decide what to retrieve. The present invention takes advantage of the server system's 14 extensive observations of the behavior of many

users, **but allows the prefetching decision to be made in the
client system 10.** [Mogul at col. 3, lines 50-55, <u>emphasis
added</u>].

Mogul's system only "assigns the predicted retrievals probabilities, and then

transmits these predictions, <u>not the actual objects</u>, to the client system." More

specifically, Mogul's system does not automatically transfer "the actual objects" as

recited in Applicants' invention. Instead, Mogul teaches (at col. 4, lines 31-52) that

several events must transpire before its "prefetched objects" are transferred. First, the

user (communicating via a client) must request "retrieval of a plurality of objects." The

server then "predicts the **next retrieval requests** from the client" and "sends the

retrieval predictions to the client." In response to the receiving the "retrieval

predictions" and a "number of criteria", the client determines whether to execute a

"prefetch operation" for the "actual objects." Therefore, Mogul does not teach

"automatically transferring [objects] on the [retrieval predictions], but rather the

"transferring of [retrieval predictions]", which "the client system 10 may choose to ask

the server system 14 for one or more of the predicted objects" (see Mogul at col. 3, line

65 to col. 4, line1).

Accordingly, Mogul does not teach Applicant's claim 2. Claims 8-14 depend

from claim 2, and are patentable for at least the reasons stated above, in addition to the

elements, limitations, and/or features recited therein. Therefore, Applicants respectfully

request reconsideration and withdrawal of the rejection of claims 2 and 8-14, and

allowance thereof.

b.   Claim 15

Applicants believe that Mogul does not teach each and every element, limitation,

and/or feature of claim 15 (as amended or previously presented). For the Examiner's

convenience, the amended claim 15 is reproduced below:

> A browser, comprising:
>
> an input for defining a restrictive criteria to define a list identifying a set of objects;
>
> logical elements for enabling **automatic transferring of an object** identified in the list into a cache local to a user, **in advance of an actual selection of an object by the user,** objects already transferred to the local cache having a lower latency than those which have not been previously transferred to the local cache, an **order of object transfer being responsive to a prediction** of user requirements, the logical elements being adaptive to a **user deviation from the predicted order;** and
>
> a user input for receiving a selection of an object as a starting point within the list of objects, such that predicted latencies for **sequential object browsing** from any given starting point are optimized.

Mogul does not disclose "a browser" that comprises, for example, "logical

elements for enabling automatic transferring of an object identified in [a] list…in

advance of an actual selection of an object." As discussed above with respect to claim 2,

Mogul's "predicted retrieval probabilities" are assigned and transferred to a client after

the client "requests a retrieval of a plurality of objects" (Mogul at col. 4, lines 31-52).

The "predicted retrieval probabilities" are not transferred "in advance of an actual

selection of an object" because the "predicted retrieval probabilities" do not exist when

Mogul's user initiates the first request.

Accordingly, Mogul does not teach Applicant's claim 15. Claims 16-20 depend

from claim 15, and are patentable for at least the reasons stated above, in addition to the

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elements, limitations, and/or features recited therein. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 15-20, and allowance thereof.

c. *New Claim 21*

As discussed above, Applicants seek to add claims 21-30. Applicants believe that Mogul does not teach each and every element, limitation, and/or feature of independent claim 21. For the Examiner's convenience, claim 21 is reproduced below:

> A method for transferring files for sequential review, comprising:
>
> accessing a restrictive criteria to select a list of files;
>
> determining an order of file transfer based on a sort criterion;
>
> queuing the files on the list according to the order of file transfer; and
>
> **transferring automatically the queued files** in a sequential order into a local cache for sequential review at a client.

Mogul does not disclose "a method for transferring files for sequential review" that comprises, for example, "transferring automatically the queued files in a sequential order...for sequential review at a client." As discussed above with respect to claims 2 and 15, Mogul's system does not teach "transferring automatically the [actual objects on the retrieval predictions]", but rather the "transferring of [retrieval predictions]", which "the client system 10 may choose to ask the server system 14 for one or more of the predicted objects" (see Mogul at col. 3, line 65 to col. 4, line 1).

Accordingly, Mogul does not describe Applicant's claim 21. Claims 22-30 depend from claim 21, and are patentable for at least the reasons stated above, in addition

to the elements, limitations, and/or features recited therein. Therefore, Applicants

respectfully request consideration and allowance of claims 21-30.

Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner rejects claims 1, 3-14, and 16-20 under

35 U.S.C. § 103 as allegedly being non-obvious over one or more of the following

documents:

1. Mogul (as discussed above);
2. U.S. Patent 6,446,080 to Van Ryzin *et al.* (herein referred to as "Van Ryzin");
3. U.S. Patent 6,098,064 to Pirolli *et al.* (herein referred to as "Pirolli"); and
4. U.S. Patent 5,557,541 to Schulhof *et al.* (herein referred to as "Schulhof"). (Paper No. 6, pages 3-9).

Applicants respectfully traverse.

a.   Claims 1, 3, 4, and 6

For the Examiner's convenience, independent claim 1 is reproduced below:

A method for reducing latency in a sequential record browser, comprising the steps of:

defining a sequential list of records, the records having a retrieval latency;

selecting a record from the list for review;

downloading the selected record, and records ordered sequentially thereafter until interrupted, downloaded records being available for browsing absent the retrieval delay;

interrupting the downloading by selecting a non-sequential record from the list; and

downloading the non-sequential record and records sequentially thereafter until interrupted.

The Examiner rejects claim 1 as allegedly being unpatentable over Van Ryzin in

view of Pirolli. (Paper No. 6, page 3). However, Van Ryzin and Pirolli do not teach or

suggest, either alone or in combination, each and every element, limitation, and/or

feature of claim 1. First Van Ryzin describes creating, modifying, and playing a custom

playlist, whereby:

> The entire playlist or individual tracks of the playlist may be
> downloaded from the external device to the digital audio/visual
> actuator device **which can then play the created playlist**
> immediately or at some future time. (Van Ryzin at col. 3, line
> 66 to col. 4, line 3, <u>emphasis</u> <u>added</u>).

> The playlist is created on an external device, typically a
> personal computer (PC), and **then is downloaded** from the
> external device to the digital audio/visual actuator device for
> use at some later time. The external device communicates the
> playlist to the digital audio/visual actuator device by
> downloading the playlist file from the external device to the
> CD player via a connection between the two, such as by a
> physical cable, a radio frequency (RF) or wireless connection,
> or an infa-red [sic] (IR) connection. (Van Ryzin at col. 4, lines
> 13-21, <u>emphasis</u> <u>added</u>).

As taught by Van Ryzin, its playlist is first created on an external device. Next,

the playlist is downloaded to an actuator device. Thereafter, the playlist can be played.

As such, Van Ryzin does not disclose a method comprising, for example, "selecting a

record from [a playlist] for review" and then "downloading **the selected record**, and

records ordered sequentially thereafter." On the contrary, Van Ryzin teaches that its

playlist is already downloaded **before** a "track" can be "played". Since Van Ryzin's

"playing" step does not precede its "downloading" step, it also follows that Van Ryzin

cannot teach that the "records ordered sequentially thereafter" are downloaded "until

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interrupted" or "interrupting the downloading by selecting a non-sequential record from the [playlist]."

Pirolli does not cure the defects of Van Ryzin since it likewise does not teach or suggest, for example, "selecting a record from [a] list for review" and then "downloading the selected record." Hence, Van Ryzin and Pirolli, individually or together, do not teach or suggest Applicants' invention as recited in claim 1. Claims 3-7 depend from claim 1, and are patentable for at least the reasons stated above, in addition to the elements, limitations, and/or features recited therein. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 and 3-7, and allowance thereof.

b. *Claims 5 and 7*

The Examiner rejects claims 5 and 7 as allegedly being unpatentable over Van Ryzin in view of Pirolli and further in view of Schulhof. (Paper No. 6, page 5). As discussed above with respect to the rejection of claim 1, claims 5 and 7 depend from claim 1 and are patentable over Van Ryzin and Pirolli for at least the reason stated above, in addition to the elements, limitations, and/or features recited therein.

Additionally, Schulhof does not cure the defects of Van Ryzin and Pirolli since Schulhof also does not teach or suggest, for example, "selecting a record from [a] list for review" and then "downloading the selected record." Therefore, Applicants, once again, respectfully request reconsideration and withdrawal of the rejection of claims 5 and 7, and allowance thereof.

c.   ***Claims 8-14 and 16-20***

The Examiner rejects claims 8-14 and 16-20 as allegedly being unpatentable over

Mogul in view of Schulhof. (Paper No. 6, page 6). As discussed above with respect to

the rejections of claims 2 and 15, claims 8-14 and 16-20 depend from claims 2 and 15,

respectively, and are patentable over Mogul for at least the reason stated above, in

addition to the elements, limitations, and/or features recited therein.

Schulhof does not cure the defects of Mogul since Schulhof also does not teach

or suggest "a method for prequeuing of files" that comprises, for example,

"automatically transferring files on [a] list...in anticipation of a user selection..., an

order of file transfer being responsive to a prediction of user review requirements, the

prediction being responsive to any change in a user deviation from the predicted order" ,

as recited in claim 2, or disclose "a browser" that comprises, for example, "logical

elements for enabling automatic transferring of an object identified in [a] list...in

advance of an actual selection of an object", as recited in claim 15. Therefore,

Applicants, once again, respectfully request reconsideration and withdrawal of the

rejection of claims 8-14 and 16-20, and allowance thereof.

d.   ***New Claim 21***

As discussed above, Applicants seek to add claims 21-30. Applicants believe

that Mogul, Van Ryzin, Pirolli, and/or Schulhof do not teach or suggest each and every

element, limitation, and/or feature of independent claim 21. For the Examiner's

convenience, claim 21 is reproduced below:

> A method for transferring files for sequential review,
> comprising:
>
> > ***accessing a restrictive criteria to select a list of files***;

determining an order of file transfer based on a sort criterion;

queuing the files on the list according to the order of file transfer; and

transferring automatically the queued files in a sequential order into a local cache for sequential review at a client.

As discussed above with respect to the Examiner's rejections under 35 U.S.C. § 102, Mogul does not teach or suggest "a method for transferring files for sequential review" that comprises, for example, "transferring automatically the queued files...for sequential review at a client." Schulhof does not cure the defects of Mogul since Schulhof also does not teach or suggest "a method for transferring files for sequential review" that comprises, for example, "transferring automatically the queued files...for sequential review at a client."

Pirolli and/or Van Ryzin, likewise, do not cure the defects of Mogul since neither document, alone or in combination, teaches or suggests, for example, "accessing a restrictive criteria to select a list of files" and then "transferring automatically the queued files in a sequential order into a local cache for sequential review at a client."

Accordingly, Mogul, Schulhof, Pirolli, and/or Van Ryzin do not teach or suggest Applicant's claim 21. Claims 22-30 depend from claim 21, and are patentable for at least the reasons stated above, in addition to the elements, limitations, and/or features recited therein. Therefore, Applicants respectfully request consideration and allowance of claims 21-30.
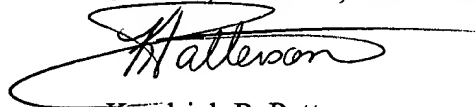
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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